CPH

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
MAY -2 AM 9:39

UNITED STATES OF AMERICA,	)	'08 MJ 1381
	)	Magistrate Case No. KNH
Plaintiff,	)	
	)	COMPLAINT FOR VIOLATION OF
v.	)	
	)	
Rodrigo RUIZ-Farias	)	Title 8, U.S.C., Section
	)	1324(a)(2)(B)(iii)-
Defendant.	)	Bringing in Illegal Alien(s)
	)	Without Presentation
	)	
	)	

The undersigned complainant being duly sworn states:

On or about May 1, 2008, within the Southern District of California, defendant **Rodrigo RUIZ-Farias**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Adriana MONTIEL-San Luis**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2nd DAY OF **May, 2008**.

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Adriana MONTIEL-San Luis** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On May 1, 2008, at approximately 1135 hours, **Rodrigo RUIZ-Farias (Defendant),** applied for admission to the United States through the vehicle primary lanes of the San Ysidro, California Port of Entry. Defendant was the driver of a 1998 Ford F-150 pickup truck bearing Baja California, Mexico license plates. A U.S. Customs and Border Protection (CBP) Officer conducting pre-primary roving operations initiated an inspection. Defendant presented a valid DS-150 and gave two negative declarations. Defendant claimed he purchased the vehicle approximately two months ago and further stated the actual registered owner was his cousin. Defendant stated he was traveling to San Ysidro, California for the purpose of shopping. Upon conducting an inspection of the vehicle, the CBP Officer discovered a human being concealed behind the back rest of the rear passenger bench seat. The CBP Officer escorted the Defendant and the vehicle to secondary for further inspection.

In secondary, a female was discovered concealed and lying unconscious inside a natural compartment behind the backrest of the rear passenger bench seat. When the female regained consciousness, she was removed from the vehicle by a CBP Enforcement Officer. The female was determined to be a citizen of Mexico without legal documents to enter the United States and is now identified as **Adriana MONTIEL-San Luis (Material Witness).**

A videotaped interview was conducted with the Material Witness. Material Witness admitted she is a citizen of Mexico by virtue of birth in Tlaxcala, Tlaxcala, Mexico. Material Witness admitted she does not have legal documents or entitlements to enter the United States. Material Witness stated that she was to pay a smuggling fee ranging from $3000 to $3,500 USD for her passage into the United States. Material Witness admitted her intention was to travel to Los Angeles, California for the purpose of seeking employment.